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 COUNTY OF SANTA CRUZ,  
 SANTA CRUZ COUNTY JAIL

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

**\*E-FILED - 8/9/05\***

DAVID TURNER, and all others interested,  Plaintiff,  v.  STATE OF CALIFORNIA, SANTA CRUZ STATE PARK DISTRICT, RANGER JOHN BUCHANAN, DOES 1-10 EMPLOYEES, COUNTY OF SANTA CRUZ, SANTA CRUZ COUNTY JAIL,  Defendants.	Case No. C-05-02714 RMW  <b>ORDER TO CONTINUE HEARING ON MOTION TO DISMISS</b>  Current Hearing Date: August 12, 2005  Requested Hearing Date: September 9, 2005
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TO THE HONORABLE RONALD M. WHYTE AND TO PLAINTIFF DAVID TURNER AND  
 HIS ATTORNEY OF RECORD:

On July 1, 2005, Defendants COUNTY OF SANTA CRUZ and SANTA CRUZ COUNTY  
 JAIL ("Defendants") removed this action to this Court and filed a Motion to Dismiss under FRCP  
 12(b)(6) ("Motion"). On July 13, 2005, this Court set Defendants' Motion for hearing on August 12,  
 2005, at 9:00 am in Courtroom 6 of the United States District Court in San Jose.

Counsel for Defendants respectfully applies herein to continue this hearing date to  
**September 9, 2005, at 9:00 am in Courtroom 6** if possible. Counsel for Defendants is on vacation  
 on August 12 and no one else from her office is available to appear on this motion. Co-defendants  
 State of California et al. have set their motion to dismiss on September 9, 2005. Further, Pro Se  
 Plaintiff DAVID TURNER has agreed to this new date and has yet to file any opposition to the

1 Motion. Continuing this Motion would permit Plaintiff time to file his opposition and would permit  
2 appearance by Trial Counsel Julia Hill.

3 Respectfully submitted,

4 Dated: August 2, 2005

DANA McRAE, COUNTY COUNSEL

6 By: s/ Julia Hill  
7 JULIA HILL  
8 Assistant County Counsel  
9 Attorneys for Defendants COUNTY OF  
SANTA CRUZ and SANTA CRUZ COUNTY  
JAIL

11 IT IS SO ORDERED.

13 Date: 8/9/05

/s/ Ronald M. Whyte  
U.S. DISTRICT JUDGE

